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7 CITIBANK (SOUTH DAKOTA), N.A.  
and DISCOVER BANK, N.A.  
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10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 DIANA LINDA DAY and JUDITH-ANN  
13 ANDERSON,

14 Plaintiffs,

15 v.

16 LEVITZ FURNITURE, CITIBANK (SOUTH  
17 DAKOTA), N.A., CAPITAL ONE BANK,  
N.A., DISCOVER BANK, N.A., and DOES 1-  
100, inclusive,

18 Defendants.

19 Case No. C-06-4623 WHA

20 [Assigned to the Honorable William H.  
21 Alsup]

22 **STIPULATION AND [PROPOSED]  
23 ORDER EXTENDING TIME FOR  
24 DEFENDANTS CITIBANK (SOUTH  
25 DAKOTA), N.A., AND DISCOVER BANK,  
26 N.A. TO RESPOND TO PLAINTIFFS'  
27 COMPLAINT**

1 **STIPULATION**

2 WHEREAS, plaintiffs Diana Linda Day and Judith-Ann Anderson (together, "Plaintiffs")  
3 filed their First Amended Complaint on August 7, 2006;

4 WHEREAS, Plaintiffs mailed the First Amended Complaint with waivers of service to  
5 defendants Citibank (South Dakota), N.A. ("Citibank"), and Discover Bank, N.A. ("Discover") on  
6 or about August 30, 2006;

7 WHEREAS, instead of proceeding pursuant to waivers of service, counsel for Citibank and  
8 Discover have agreed to accept service of the First Amended Complaint subject to the following  
9 dates being set for their respective response deadlines pursuant to this Stipulation;

10 respond to the First Amended Complaint by answer, motion or otherwise by or before  
11 November 3, 2006;

12 WHEREAS, good cause for the extension exists because counsel for Citibank and Discover  
13 have not had adequate time to review and analyze the allegations of the First Amended Complaint,  
14 and the extension of time will allow counsel for Citibank and Discover to further investigate  
15 Plaintiffs' allegations and prepare appropriate responses to the First Amended Complaint; and

16 WHEREAS, the parties do not believe that the requested extension would otherwise affect  
17 the schedule for this case.

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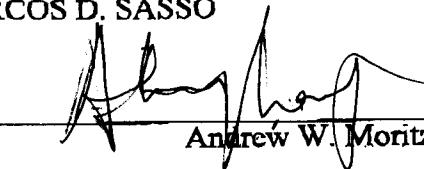
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1 IT IS HEREBY STIPULATED, by and between Plaintiffs and Citibank and Discover,  
2 through their respective counsel of record, that the time for Citibank and Discover to respond to the  
3 First Amended Complaint by answer, motion or otherwise shall be extended to and including  
4 November 3, 2006.

5 IT IS SO STIPULATED.

6 Dated: September 26 2006

7 STROOCK & STROOCK & LAVAN LLP  
8 JULIA B. STRICKLAND  
9 ANDREW W. MORITZ  
10 MARCOS D. SASSO

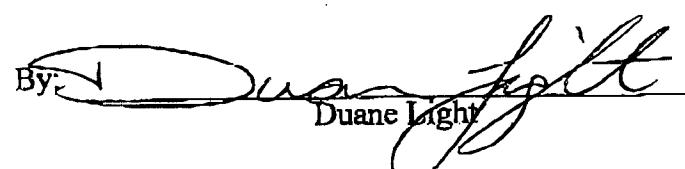
11 By: 

12 Andrew W. Moritz

13 Attorneys for Defendants  
14 CITIBANK (SOUTH DAKOTA), N.A. and  
15 DISCOVER BANK, N.A.

16 Dated: September 26 2006

17 LAW OFFICES OF DUANE LIGHT  
18 DUANE LIGHT

19 By: 

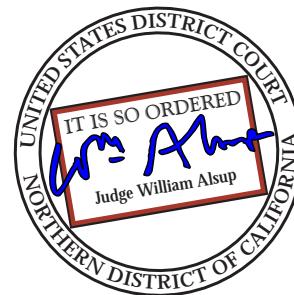
20 Duane Light

21 Attorney for Plaintiffs  
22 DIANA LINDA DAY and JUDITH-ANN  
23 ANDERSON

24 **ORDER**

25 PURSUANT TO STIPULATION, IT IS SO ORDERED.

26 Dated: September 27, 2006



27 United States District Judge

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